



Attorney Docket No. 038530-0017

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer No. 20277
	:	
Mark S. HUMAYUN, et al.	:	Confirmation No. 7732
	:	
Serial No.:10/686,775	:	Group Art Unit: 2621
	:	
Filed: October 17, 2003	:	Examiner: To Be Assigned
	:	
For: MICROELECTRONIC STIMULATOR ARRAY FOR STIMULATING NERVE TISSUE		

**PETITION UNDER 37 C.F.R. 1.47(a)**

Mail Stop **Petition**  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petition is hereby made to accept the herewith enclosed Declaration and Power of Attorney signed by two co-inventors each on behalf of himself and on behalf of the non-signing third co-inventor pursuant to the provisions of 37 C.F.R. § 1.47(a).

List of **Attachments** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.

An **Appendix** including those Attachments listed on page 2 of this paper is attached following page 3 of this paper.

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**ATTACHMENTS**

Attachment A: Combined Declaration and Power of Attorney executed by Mark S. Humayun and James D. Weiland

Attachment B: Declaration of Kelli N. Watson including Exhibits:

**Exhibit 1:** Copy of February 10, 2004 letter to John G. Mills including attached Declaration and Assignment

**Exhibit 2:** Copy of March 10, 2004 electronic correspondence to John G. Mills

**Exhibit 3:** Copy of March 15, 2004 electronic correspondence to John G. Mills

**Exhibit 4:** Copy of March 15, 2004 facsimile letter from John G. Mills

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.47(a), Applicants hereby Petition the U.S. Patent & Trademark Office to accept the herewith enclosed combined Declaration and Power of Attorney signed by two co-inventors (i.e., Mark S. Humayun and James D. Weiland) each on behalf of himself and on behalf of the non-signing third co-inventor (i.e., Dean Scribner). A Declaration and Power of Attorney has been sent to Dean Scribner for signature, via his attorney, but Dean Scribner has refused to sign the same. A Declaration by Kelli N. Watson, including Exhibits 1 - 4, is also enclosed herein in support of the Petition made hereunder.

Please charge the fee set forth in 37 C.F.R. § 1.17(h) (\$130.00) to Deposit Account No. 500417.

**CONCLUSION**

Acceptance of the Petition Under 37 C.F.R. §1.47(a) and favorable consideration are respectfully requested.

**To the extent necessary, please grant any extension of time deemed necessary for entry of this communication. Please charge deficient fees, or credit any overpayment of fees, to Deposit Account No. 500417.**

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Kelli N. Watson  
Registration No. 47,170

Date: March 16, 2004

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